



Alert: Changes to Juvenile Delinquency Cases

Case Security Set Automatically

On July 1, 2016, changes to the eFile system will automatically set security for juvenile delinquency cases per Senate File 2288:

- All *pending* and *new* delinquency cases will be confidential (security level 1 – Confidential) unless one or more forcible felony-level charges are entered on them.
- Cases with a forcible felony-level charge will be public (security level 0 – Public) if the juvenile defendant was 10 years of age or older at the time of the delinquent act.

To Change Case Security

New and revised code sections 232.149A & B describe orders that juvenile judges can issue to change case security on delinquency cases. A juvenile has the right to a hearing on a motion for either of these orders:

OCFN– JUVENILE CONFIDENTIALITY ORDER

Per code 232.149A, this order sets security to Level 1 – Confidential when docketed on delinquency cases, making the case confidential regardless of charges filed. Filers submit a PROPOSED OCFN to the judge.

OPUB – JUVENILE PUBLIC RECORDS ORDER

Per code 232.149B, this order sets security to Level 0 – Public when docketed on delinquency case, making the case public regardless of the charges filed. Filers submit a PROPOSED OPUB to the judge.

Sealed Records

Code section 232.150 allows for a hearing for sealing of the juvenile record on the court's own motion or motion of the juvenile charged.

Right to Review Complaint against Juvenile

Revised section 951.25 has been updated to agree with SF 2288: Complaints filed with the court alleging a delinquency act, except for those alleging a forcible felony charge, will be confidential. Alleged victims still have the right to see the complaint, name and address of the juvenile charged and the disposition of the complaint. They may do so through an intake or juvenile court officer.

For a complete description of the changes, refer to

Senate File 2288 An Act Relating to the Confidentiality of Juvenile Court Records in Delinquency Proceedings: <https://www.legis.iowa.gov/legislation/BillBook?ga=86&ba=SF2288>